Numb. 219.

THE South-Carolina Gazette.

Containing the freſheſt Advices Foreign and Domeſtick.

From **Thurſday**, MARCH 30, to **Thurſday**, APRIL 6, 1738.

The Remainder of our laſt.

ANOTHER Gentleman made Anſwer and ſaid, "It is better for us to leave him to bury himſelf in his own Infamy *, than to accuſe him publickly, before his Crimes be as apparent as the Sun at Noon Day; for if he ſhould chance to be acquitted by the Dexterity of his *Sollicitor*, or ſome Overſight in the *Judge*, he will give full Scope to his Reſentment, and think himſelf in a Condition to tyrannize with Licence and Impunity. The People will perſiſt in their Murmurs and Complaints (which no prudent Adminiſtration, ever yet neglected) ſo long as they feel the Weight of that Power, which is ready to cruſh them to Pieces; and nothing will ſilence them, but the Removal of this odious *Alcade*. All Laws were originally inſtituted to protect the Innocent, and right the Injured; and every Man, (eſpecially one that is bound by the moſt ſolemn and ſacred Ties to maintain them inviolably) who encourages Fraud and Oppreſſion, and grows rich by *the Spoils of the Poor*, forfeits all Title to the Protection of the Laws, and ſhould be gibbeted without Benefit of Clergy. Such a Man is juſt as fit to be Guardian of our Liberties, as a Wolf is to be a Shepherd."

"In ſhort (as another added) we have no Reaſon to think our Liberties and Properties can be ſecure while the Adminiſtration of Juſtice is lodged with Men, who have neither Virtue nor the Appearance of it. I will not take upon me to preſcribe to our Legiſlature, but I hope I may be allowed the Privilege of a Wiſh; and that is, that every Alcade were to be elected (as all Procurators are by a Majority of Freeholders within his Precinct, and recommended to the Governour for his Approbation and Commiſſion, and that he ſhould not continue in his Office above one Year at moſt, without a new Election. But if ſuch a Law, as I wiſh for, ſhould happen to interfere with the Prerogative of the Crown, or the State Laws of the Realm, (to both of which I am as great a Stranger as ſome of the *Alcades* themſelves) then I would humbly propoſe, that a certain Number of *Alcades* ſhould be appointed for each Diſtrict, that a competent Salary might be ſettled upon each *Alcade*, according to his Probity and Diligence in the Execution of his Office, and he be obliged to take and obſerve the following Oath under the ſevereſt Penalty. I A B. *Do ſwear, that I never will take, receive, or accept of any Fee, Reward, Gratuity or Conſideration whatſoever, directly or indirectly, for or in Conſideration of the Execution of my Office.* I am miſtaken if any Meaſures could ſo ſoon remedy the Evils, we labour under, or ſo effectualy defeat the execrable Deſigns of thoſe, who ſtudy nothing ſo much as to plunder us, and enrich themſelves. Since all Procurators neglect their own Buſineſs at Home, and go abroad to ſerve their Country, not only without Reward, but at a vaſt Expence to themſelves; I ſee no Reaſon why an *Alcade*, whoſe Office is neither chargeable nor inconvenient to him, ſhould not ſerve it for nothing. It is prudent for us to make timely Oppoſition againſt the growing Power of the *Alcades*; for who knows how far it may be enlarged, or what uſe will be made of it? A Thirſt after Power is as inſatiable as it is natural; and conſidering the great Gains that the *Alcades* make of their Office, who knows but the Prieſts may be ambitious and covetous enough to get into it; and then we ſhall have neither Law nor Goſpel without paying down a valuable Conſideration."

Some Gentlemen who were zealous for the Honour of Religion, and the Credit of the Clergy took Offence at the Concluſion of the laſt Speech, (which indeed was nothing to the Purpoſe) and therefore propoſed to put an End to the Converſation. But before the Company broke up, they agreed, to a Man, in this — That the Office of Alcade (as it is *now* managed) is as pernicious to the Political, as the Practice of Phyſick is to the natural Body; for as the latter impairs Mens Health, and ſhortens their Lives, ſo the former diſturbs the Peace of the Community, and involves Mankind in endleſs Quarrels and litigious Law-Suits.

* *Nonne videtis ſatius eſſe illum ſordibus Infamiæ relinqui quam Informi Judicio committi.* Cic. Ep. ad Attic.

PHILADELPHIA, *Feb.* 7.

Friday laſt ended the Court of Oyer and Terminer (after a Seſſion of nine Days) when *John Wood* Labourer, received Sentence of Death, for Burglary; being convicted of breaking open the Houſe of *John Cox* in *Paſſyunk* Townſhip, and ſtealing thence ſundry Pieces of Pewter. And Dr. *Evan Jones* Chymiſt, being found guilty of *Manſlaughter*, was accordingly burnt in the Hand. His Tryal laſted 15 Hours, for the Subſtance of which the Reader is refer'd to the following Letter.

MR. FRANKLIN,

YOur Readers, no doubt, will expect ſome Information concerning the Tryal of Dr. *Jones*, for the *Murder* of his Apprentice. As I was preſent as a Spectator, and obſerved the whole Proceeding with Attention; I ſend you the following Account.

Mr. *Growdon*, the King's Attorney-General, opened the Charge laid in the Indictment, with his uſual Eloquence. He begun by informing the Court and Jury, That the deceaſed being young and unexperienced, had expreſſed a great Inclination to be initiated into the Myſtery of Free-Maſonry: Whereupon his Maſter the Priſoner at the Bar, combined with ſeveral others to divert themſelves with the Lad's Simplicity. They made him believe, that before they could gratify his Inclination, it was neceſſary they ſhould invoke and raiſe the Devil. To which the Youth, being under the Direction of his Maſter, unhappily conſented. Preparatory to this, the Deceaſed, with a Bandage on his Eyes, was led into the Doctor's Garden, where on his knees

knees he repeated after another, in broken Sentences (whence there is Room to hope he might not conceive their Meaning) a ſtupid blaſphemous Writing (which, tho' not penned by the Doctor, he was made privy to) whereby Satan ſuppoſ'd to be preſent, was acknowledged and adored as a ſupream and mighty Power, with Expreſſions of a true and faithful Allegiance to the Prince of Darkneſs.

Then they adminiſtred to him a Cup, in imitation of the Sacrament, which contained a ſtrong Doſe of Phyſick; after which one of the Company indecently diſcovered his Poſteriors, to which the Lad, under the ſame Impediment of Sight was led to kiſs, as a Book to ſwear upon. Afterwards he was conducted into a Cellar, where the laſt Scene of this Helliſh Action was laid. Several Perſons were formally invited to the Celebration of theſe Diabolical Rites. The Doctor having twice endeavoured, but without Effect, to ſet Fire to ſome Rum or other Spirit, that was in an earthen Pan, which he had prepared for that Purpoſe, went up Stairs to his Shop, and preſently returning with a large Bottle in his Hand, poured into the Pan an additional Quantity of Spirit, which, on a third Eſſay, immediately took Fire; ſome of the Company then diverted themſelves at a Play called *Snap Dragon*, holding their Heads over the Pan, that their Countenances, from the blue Reflection of the Flames, might appear ghaſtly and hideous; hoping from thence, that the Youth, upon taking the Bandage from his Eyes, would imagine he ſaw the real Servants of the Devil, who was perſonated by a Fellow dreſs'd in a Cow's Hide with Horns. But the Deceaſed not expreſſing the Surprize which was expected, his Maſter asked him if he was not afraid; he anſwers, he is not. The Doctor thereupon takes up the Pan in his Hands, and throws the burning Spirits on the Breaſt of the Youth, who being covered with Flames, his Maſter threw himſelf upon him, and extinguiſhed them. Here the Scene of Hell cloſed, but with a fatal Conſequence. The unhappy young Man languiſhed for about three Days, almoſt continually delirious, and then died in a miſerable Condition. The Parts burnt, which were from the Breaſt down to the Thighs, appeared like the Skin of a roaſted Pig, varied with ſeveral Spots, ſome black, ſome of a livid Colour.

This was the Sum of the Charge as opened by the Attorney-General, except a few Circumſtances, which were afterwards ſupplied by the Witneſſes, who fully proved the whole Tranſaction, as here laid down, *beyond the Poſſibility of a Doubt*. And, indeed, for ſeveral Months before the Tryal came on, there was hardly any Perſon in *Philadelphia*, who could be ignorant of the Affair, in all it's horrid Circumſtances. And 'tis obſervable, to the Honour of the Fraternity of *real* Free Maſons (of which by the Way I am no Member) that no ſort of People expreſs'd a greater Abhorrence of the Fact on all Occaſion than they did; for which Reaſon the Doctor challeng'd all the Brethren that were return'd on the Pannel of the Jury, and they were accordingly ſet aſide.

One of the King's Council argued to this Effect, *That the Diſcharging ſo large a Quantity of burning Spirits, on the Body of the Deceaſed, muſt by an immediate and neceſſary Conſequence, not only hurt, but* grievouſly *hurt: That therefore the Fact, for which the Priſoner ſtood charged, was clearly* MURDER *in the Eye of the Law; ſince it is poſitively pronounced in all the Books,* That if a Man, with a ſedate Mind, deliberately and UNLAWFULLY, without any Provocation, doeth ſuch corporal Hurt and Damage to another, that he dieth thereof; the Offender, tho' he had no Deſign to Kill, is Guilty of MURDER, of Murder by MALICE EXPRESS. *That the Act of throwing the burning Spirits was evidently unlawful: for, if the Deceaſed had lived, the Law would have given an Action of Treſpaſs againſt his Maſter for Aſſault and Battery: Beſides, the Circumſtances which preceded and led to the fatal Act, were of the moſt flagitious Nature that ever were known in this Province, and which alone called for the ſevereſt Puniſhment. That the Common Law of* England *in this Particular relating to Murder, was founded in Nature and the eternal Reaſon of Things; ſince it has remained unalterable thro' a Succeſſion of many Ages, is agreeable to the Laws of all other civilized Nations, and to the revealed Law of God himſelf.*

The ſame Gentleman added, *That no Government could ſubſiſt, nor could any thinking Man believe he had any reaſonable Security for his Life, where ſuch cool Villany ſhould be perpetrated with Impunity; or where a Man ſinging Fire, Flames, and Death around him, ſhall be allow'd to excuſe it, by ſaying it was only in Jeſt.*

The King's Attorney General told the Jury, *that the Caſe before them was the moſt puzzling he had ever met with. He added that, after having examined all the Caſes with the ſtricteſt Attention, and finding none in point with this, his Conſcience obliged him to declare, he did not think the Priſoner guilty of Murder.*

The Jury brought in their Verdict, MANSLAUGHTER.

Yours, &c.

A B.

Two other Perſons were arraign'd with Dr. *Jones* for the ſame Crime, of whom one was found guilty of Manſlaughter, but obtain'd a Pardon; and the other was acquitted by the Jury.

At the ſame Court *John Henry Goeſh* was indicted for ſetting Fire to the Sugar Houſe, and pleaded Not Guilty. He was acquitted by the Jury; but at the Proſecutors Requeſt was remanded to Priſon, till he ſhould give Security for his good Behaviour.

CHARLES-TOWN, *April* 6

Monday laſt, being *Eaſter Monday*, the following publick Officers were choſen, by *Ballot*, for the Year enſuing;

Commiſſioners for the Work houſe and Markets.

Thomas Dale, Iſaac Mazyck, Jacob Motte, Eſqrs; Mr *Henry Peronneau* jun. Capt *Ebenezer Simmons.*

Fire-Maſters.

Capt. *Garret Vanvelſen*, Meſſrs. *John Laurens, James Fowler, John Milner, Samuel Fly.*

Wood-Meaſurers.

Jacob Motte Eſq; Capt. *Thomas Lloyd*, Mr. *John Stuz*, Capt. *John Ballantine.*

Packers.

Meſſrs. *John Neufville, Peter Bewiſt, John Townſend, Robert Hay, Peter Leger, Gabriel Guignard.*

On Tueſday laſt was muſter'd the Troop of *Horſe-Guards*, at the Head of which the new *Militia*-Act was read, wherein it is enacted, that for the future, no Horſe leſs than 14 Hands high ſhall paſs Muſter.

Laſt Week *Wm Saxby* Eſq; was qualified as Juſtice of the Peace for *Berkley* County!

Cuſtom Houſe, **Charleſtown,**

Entred inwards,

Ship Guiney Merchant, Ellis Benner } from New-England
—— America, John Troth }
—— Nancy, John Hyer from Mountſerrat.
Snow Molly, Cornelius Bowne } from Philadelphia.
Brigt Elizabeth, John Jory }
Brigt. Wm. & Martha, Tho: Ward from Liverpool.
Scooner Elizabeth, John Cullis } from Bay of Honduras.
Sloop Plymouth, James Eaſdell }
—— Chaming Betty, Tho: Croſsthwaite from Maryland.
Scooner Eliz. Edw. Bryan } from North Carolina.
Sloop Tryal, Sam. Surſam }

Entred out,

Sloop Shearwater, John Hopkins for Rhode Iſland.

Clear'd for Departure.

Billander Content, Geo: Thurham to Portugal.
Sloop Droitwitch, David Linn to N-Carolina.
—— Shearwater, John Hopkins to Rhode-Iſland.

EXPORTED from this PLACE ſince *Nov.* 1, 1737.

Rice 22916 Barrels. Pitch 6787. Tarr 3605. Turpentine 594. Whereof 2071 Barrels of Rice to the Southward of *Cape Finiſterre.*

PRICES of the following GOODS.

Rice 3 l. 12 s. 6 d.	Flour *per C.* 5 l.
Pitch *per* Bar. 40 *s*	Milkbread 12 l.
Tar per Bar 32 s. 6 d.	Shipbread 5 l.
Turpentine 7 *s.* 6 d.	Middling bread 6 l. 10 s.
Corn per B. 20 *s.*	White 9 l.

TO BE SOLD by *Joſeph Wragg* and Comp. on Wedneſday the 12th Inſtant, a choice Parcel of Slaves, imported in the Ship *London Merchant*, JOHN THOMAS Commander from *Angola.*

NB. *Great Encouragement will be given for preſent Pay in Rice or Caſh.*

IMPORTED from *Briſtol*, by Capt. *White*, and to be ſold by *Watſone* & *McKenzie*, double & ſingle refin'd ſugar, butter, beer, cyder, cutt tobacco, mens & boys hatts, ſhott, gun powder, bombazeens, alapines, half bayes, white tabby, paduſoys, mens and womens thread hoſe and ſundry other goods

JAMES GORDON Deputy Receiver, gives Notice, that the Quit-Rents of the new as well as the old granted Lands became due to the King the 25th *March* paſt, which not duely paid, he is obliged in Compliance with the Quit-Rent Law, and his Commiſſion, to diſtrain upon the Defaulters without any further Notice

To be Sold at publick Vendue, at the Houſe of Capt. *Jonathan Skrine* in *George Town*, on the firſt Day of *May* next, a Tract of 300 Acres of Land, about a Quarter of a Mile from *George Town*, part thereof is well ſtored with good Pine Timber, the Reſt fit for Paſturage; alſo two Front Lotts in *George Town*, and two other Corner Lotts all conveniently ſcituated, and ſome choice Slaves for Credit till next *February*, giving Security if required, and likewiſe a Plantation (but not at Vendue) containing 925 Acres on *George-Town* Neck, fronting *Black* River, 12 Miles from *George Town*, having both River and Inland Swamp, and Corn Land: Suitable to be paid at 5 ſeveral Payments, *viz.* one the next *March*, the others, the two ſucceeding Years, no Intereſt till next *March*, any Perſon that has a Mind to ſee the above Lands or Lotts, may apply to *Arthur Foſter* near *George Town* *Arthur Foſter.*

To be Sold by the Subſcribers on Friday the 14th Inſtant, at the Quarter Houſe, for ready Money or Credit till next Crop, a choice parcel of Slaves, the Perſons buying upon Credit to give Security, and pay Intereſt from the Day of Sale. *Geo: Logan.*
Wm Trewin

VERY good Flour, Indian Corn, Midling, Ship, and brown Bread, and Gammons of Bacon, to be ſold by *Francis Richardſon* at his Stores on *Elliot's* Wharf.

For PHILADELPHIA,

THE Brigt *Elizabeth*, *John Jory* Maſter, will punctually ſail in 6 Days, for Freight or Paſſage, agree with the aforeſaid Maſter on Board the ſaid Brigt. at *Elliot's* Wharf, or with *Fr. Richardſon* at *Joſ: Skute's* Merchant in *Elliot* ſtreet.

Juſt imported in the Snow *Molly*, *Cornelius Bourne* Maſter from *Philadelphia*, and to be ſold by *Peter Bard*, good Indian Corn, Flour, Midling and White Bread, Buck Wheat and Oats, Butter, Beer, Soap and Gammons.

NB. Said Snow will ſail in 10 Days for *Cape Fear*, for Freight or Paſſage, agree with *Peter Bard* at Mr. *Edward Bullard's*

CHOICE good old Rum, to be ſold reaſonably for ready Money, by *Joſeph Tucker* at his Store in *Elliot's*-ſtreet. The ſaid *Joſ: Tucker* deſigning to leave this Province on the 21ſt of this Inſtant, deſires all thoſe indebted to him, to pay off their ſeveral Debts before that time, otherwiſe they will be ſued immediately, without any further Notice.

THIS is to give Notice, that Horſes are to be taken in Paſture by *Abraham Beſtatt*, in a well fenc'd Paſture, commonly called the *Ouldfield*, two Miles and an Half from *Charleſtown*, at 2 s. 6 d. for 24 Hours, 7 s. 6 d. per Week, 25 s per Month, and 3 l. per Quarter.

TO BE SOLD by *Experience Howard*, at the Plantation of Mr *Thos. Howard* at *Peedee*, the 20th Inſtant, for ready Money 450 Acres of Land, 200 Head of Cattle, and a Gang of Horſes, 6 Plantation Negroes, & Houſhold Goods.

Brought to Goal in Charleſtown,

April 5. 3 Negro Fellows, cannot tell their own Names, nor Maſters, taken up at *James-Iſland*, by Mr. *Darrel.*

JUST IMPORTED a choice parcel of Indian Corn, and to be ſold by *Joſ. Elwes.*

NOTICE is hereby given to all Perſons that have Occaſion for Coach, Chaiſe and Saddle Horſes or Mares, or for good Milch Cows, working Oxen or other Cattle, that ſuch will be expoſed to Sale at the *Radnor* Fair, which will begin on the ſecond Tueſday in *May* next, and continue 4 Days.

Run away in *January* laſt, from *Samuel Montagut's* Plantation in the Townſhip of *Purryſburgh*, 3 Negro Men, one is a tall Fellow, named *Robin*, the next to him in Size; is called *Rogue* or *Miller*, and the ſhorteſt of the three is *Tony*, they had on white Negro Cloth Jackets and Breeches, *Tony* was taken laſt Year about *Savannah*-Town, and is ſuppoſed to be travelling that Way again with his Companions. Whoever delivers the ſaid Negroes to Mr. *Sam. Eveleigh* at *Charleſtown*, or to the ſaid Plantation, ſhall have 5 l. reward for each, and reaſonable Charges.

AS *James McClellan* of *Charles-Town*, deſigns to leave this Province ſoon, he deſires all thoſe indebted to him, to pay their reſpective Debts in *May* next, or they will be ſued without further Notice.

N B He has a good Aſſortment of Cabinet Work, which will be ſold very reaſonably for ready Money.

Run away ſome time ago, a Muſtee Wench, named *Diana*, and a little Negro Boy, named *March*, had on when he went away a blue Duffil Gown, they are harbour'd or entertain'd in or about the Town. Whoever takes up either or both, and brings them to me, ſhall be well rewarded. *Wm Harvey.*

TO BE SOLD in *Dorcheſter* Pariſh, at the Houſe of *John Bettwood*, at publick Vendue on Thurſday the 20th Inſtant, to the higheſt Bidder for ready Money; ſeveral Slaves and Cattle.

Philip Morris, having heard nothing of his Wife *Mary Morris* 18 Months ſince, hereby deſires if ſhe is a live, to let him know and to direct for him, at Mr. *Wm. Card's* in *Orangeburg* Townſhip in *Berkley* County, *South-Carolina.*

To be Sold at Vendue on Tueſday the 25th of *April* next, a Plantation, ſcituate upon round O *Savannah*, containing 584 Acres of choice planting Land Barn and ſome other convenient Buildings upon the ſame, the Plantation is well fenc'd in, and every Thing in good Order for planting the enſuing Crop Any Perſon inclinable to purchaſe, may treat with Meſſrs *Yeomans* and *Eſcott* in *Charleſtown*, Mr. *James Ferguſon* at *Pon Pon*, or *Robt Wright* at *Dorcheſter*

Run away from Benjamin Godin's *Plantation, about* 3 *Weeks ſince*, 3 Angola *Negro Men, named* Harry, Cyrus *and* Chatham, *they have been in the Country three Years, and ſpeak little Engliſh, they are branded* BG. *on the right or left Breaſt, and are ſuppoſ'd to be gone towards* Winyaw, Harry *having before (about a Year ago) run away and been taken up in that Part of the Country. Alſo run away a Muſtee Negro Man, named* Sam, *he is a ſhort thick well made Fellow, and a* Gambia *Negro Man, named* Ned, *he ſpeaks Engliſh, and is a luſty, tall Fellow, branded as aforeſaid. Whoever ſhall apprehend the ſaid Negroes or any of them, ſhall receive* 10 *l per Head, from* Benj. Godin

Very good BARBADOS Rum to be ſold by the Gallon, Quart & Pint at 17 s. 6 d and alſo Barbados Citron Water at 6 l. per Gallon, and Chocolate at 30 s. per lb. and Indian Corn at 25 s. per Buſhel, by Mr *Iſ. Depaz* in *Union ſtreet.*

TO BE SOLD by *John Brand* a new two Wheel Chaiſe.

AS *John Johnſton* of *Church-ſtreet*, in *Charleſtown*, intends ſoon for *England*, he requeſts all thoſe indebted to him to diſcharge their reſpective Debts by the firſt of *May* next, otherwiſe is determined to deliver their Accounts, &c. to *Arthur Strahan* Attorney, to be ſued without further Notice.